

EXHIBIT 1

**DECLARATION OF TAYLOR SIMPSON, ESQ. IN SUPPORT OF EMERGENCY
MOTION TO REMAND**

1. I, Taylor Simpson, Esq. have personal knowledge of the truth of the facts contained in this Declaration and of the accuracy and authenticity of the documents attached hereto and referenced herein, except for those stated upon information and belief. I make this declaration under penalty of perjury under the laws of the State of Nevada. If called to testify about the facts and documents referenced herein, I could do so. I am counsel for Defendant Tako, LLC in the present matter.
2. I believe that there are grounds for the court to hear this matter on an emergency basis. The nature of the emergency is that Plaintiff Parnell Colvin (hereinafter “Mr. Colvin”) remains in possession of the real property located at 6681 Tara Avenue, Las Vegas, Nevada 89146 without paying rent. Mr. Colvin has duplicitously attempted to remain in the Property without paying rent by abusing the federal removal process and the bankruptcy processes. Further, on or about November 5, 2022, the Property suffered a flood due to the sewer/septic tank. *See* Cleanup Report attached hereto as **Sub-Exhibit A**. It is my understanding that the property was likely damaged by the tenant and is flooded with sewage water. Despite this fact, Mr. Colvin remains in possession of the Property. Furthermore, Mr. Colvin refuses to cooperate and vacate the Property or allow the cleaning crews further access to the Property. It is likely that the health department will condemn the Property if immediate action is not taken.
3. Pursuant to LR 7-4(a)(2), the office addresses and telephone numbers of movant and all affected parties are as follows:

Tako, LLC
c/o KERR SIMPSON ATTORNEYS AT LAW
2900 W. Horizon Ridge Pkwy., Ste 200
Henderson, NV 89052
702-451-2055
Landlord/Defendant

Parnell Colvin
6681 Tara Ave.
Las Vegas, NV 89146
503-490-6564
Plaintiff/Tenant

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4. Pursuant to LR 7-4(a)(3), my client and I have attempted on several occasions in the recent weeks to contact Mr. Colvin and to seek an amicable resolution to this matter, however, Tako has been unable to resolve the matter without court intervention. Furthermore, Mr. Colvin will be provided a copy of this Emergency Motion by U.S. Mail and by email to the email address stated in Mr. Colvin's pleadings.

FURTHER DECLARANT SAYETH NOT.

DATED this 16th day of November, 2022.


TAYLOR SIMPSON, ESQ.

SUB-EXHIBIT A



PuroClean of Summerlin West

Steven Lai
PuroClean Summerlin West
(702) 608-8668
www.puroclean.com/psw-nv
PuroCleanNV@gmail.com
slai@puroclean
TAX ID: 87-1614944

Client: Amy
Property: 6681 Tara Ave
Las Vegas , NV

Operator: SLAI

Estimator: Steve
Company: PuroClean of Summerlin West
Business: 11700 W Charleston Blvd 170-653
Las Vegas, NV 89135

Business: (702) 608-8668
E-mail: Slai@puroclean.com

Type of Estimate: Water Damage
Date Entered: 11/4/2022 Date Assigned:

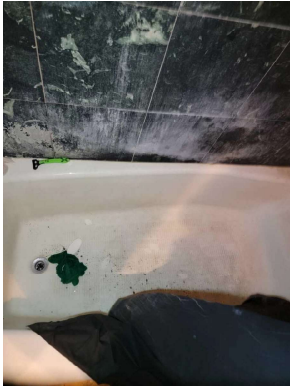
Price List: NVLV8X_OCT22
Labor Efficiency: Restoration/Service/Remodel
Estimate: 6681_TARAAVE



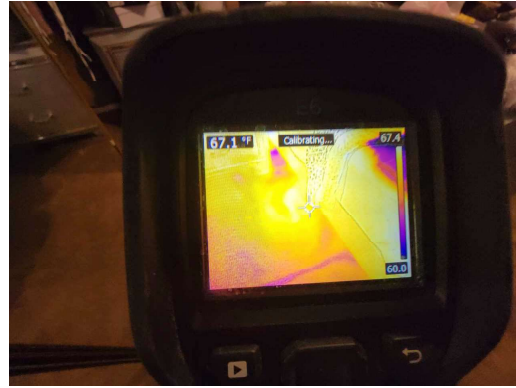
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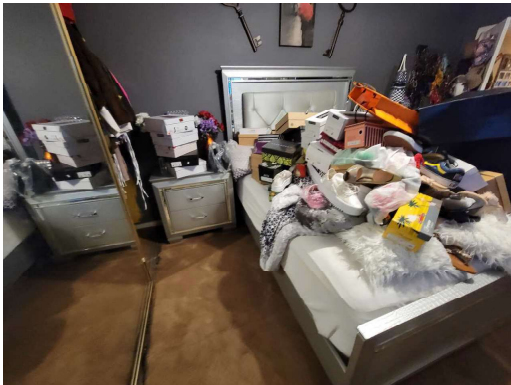
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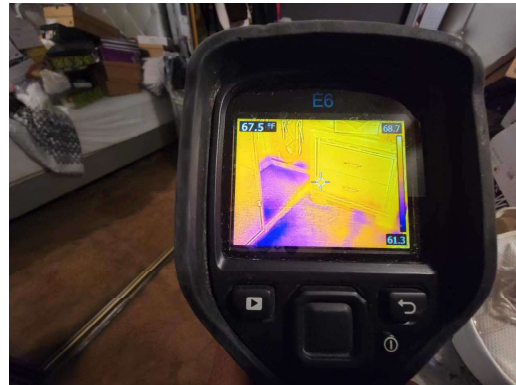
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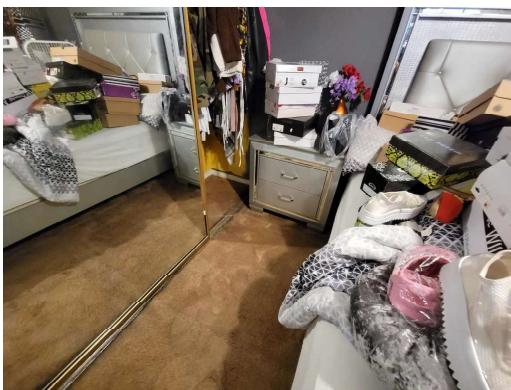
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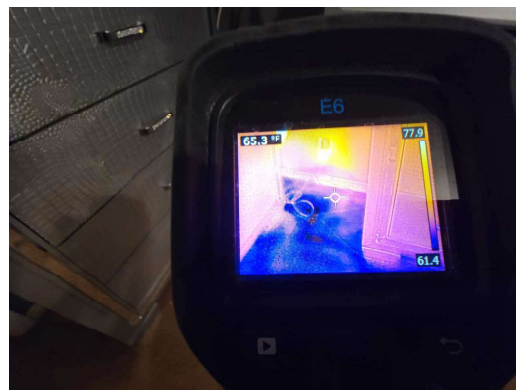
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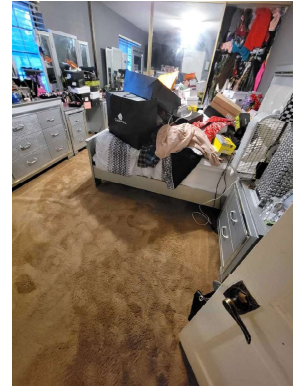
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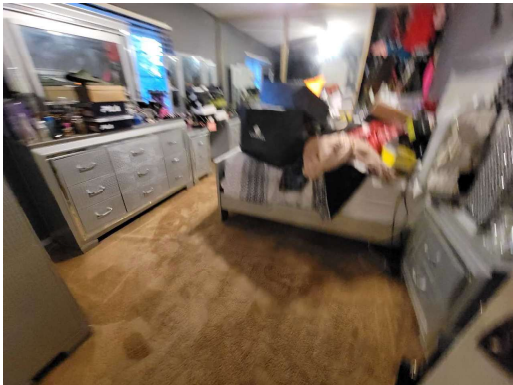
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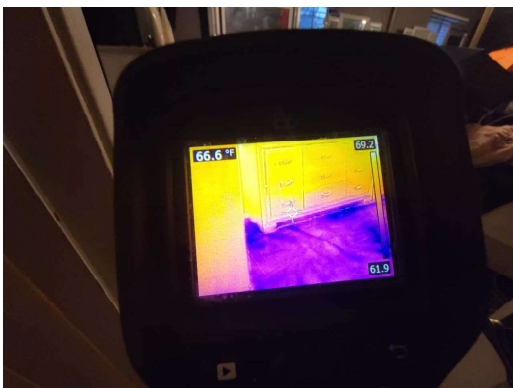
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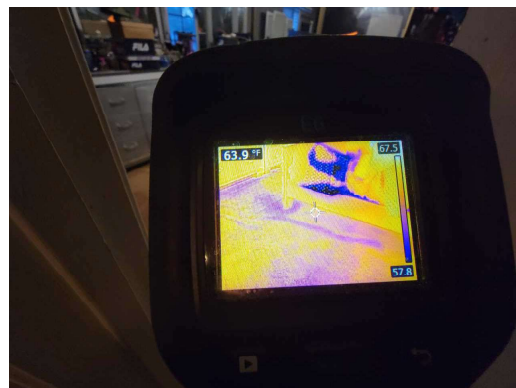
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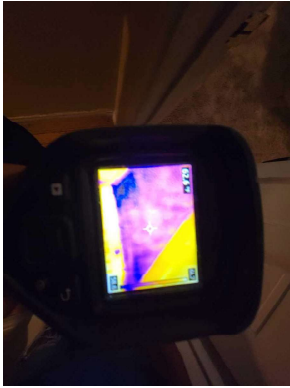




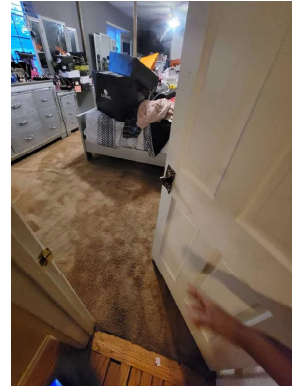
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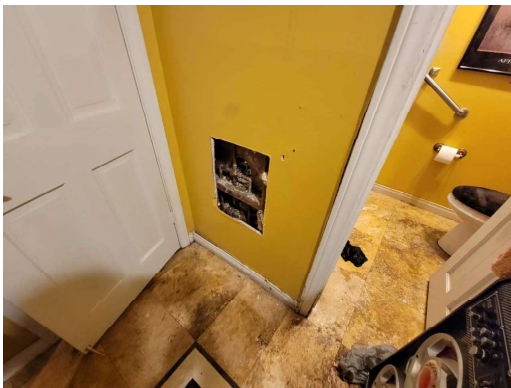
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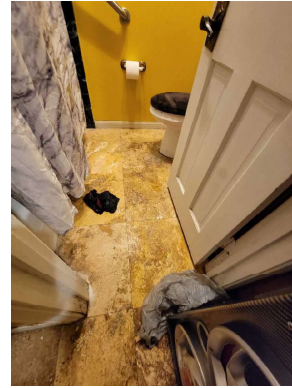
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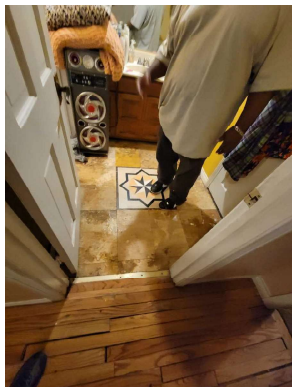




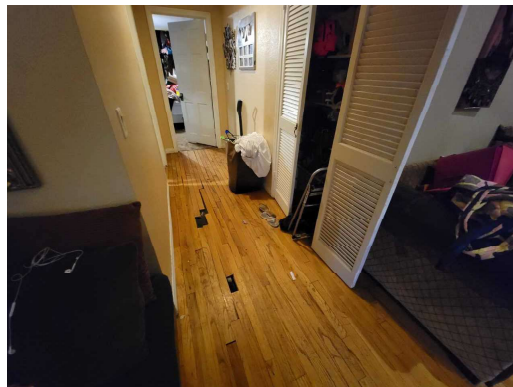
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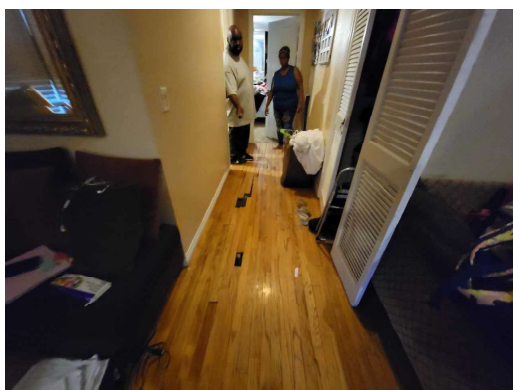
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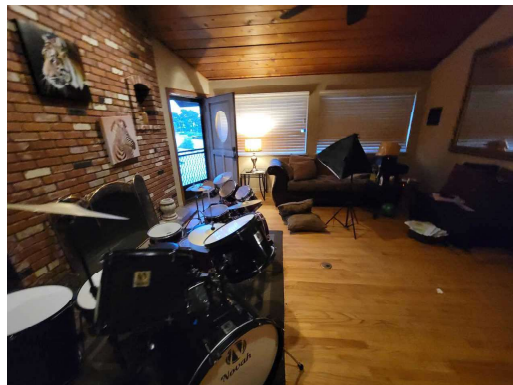
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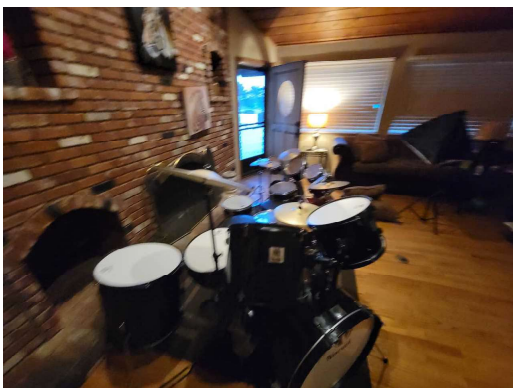
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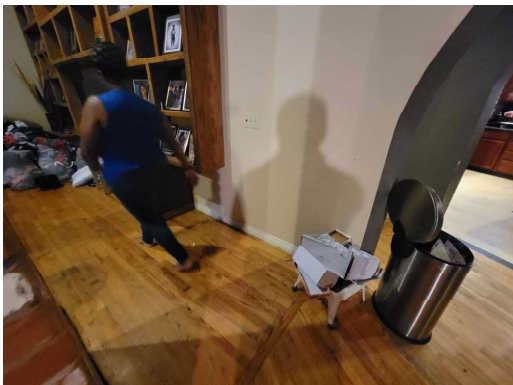
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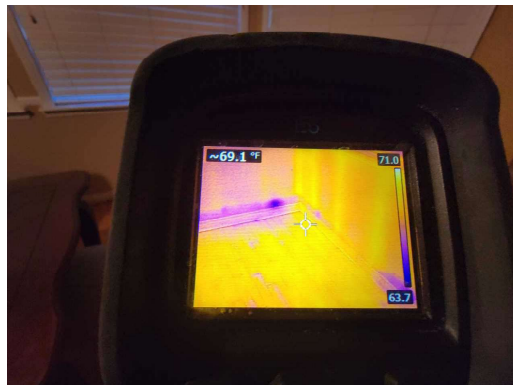
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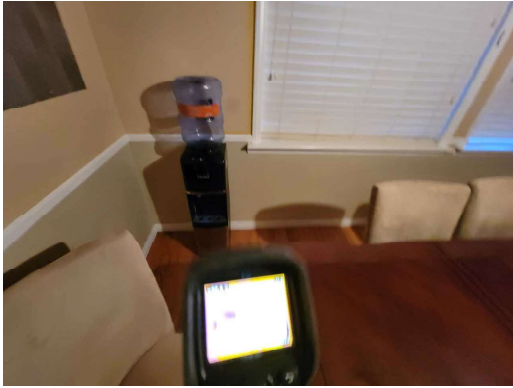




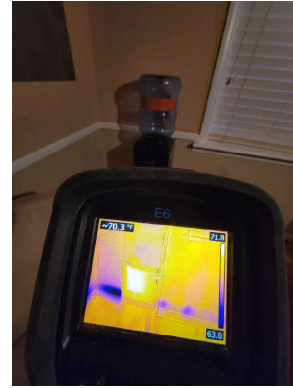
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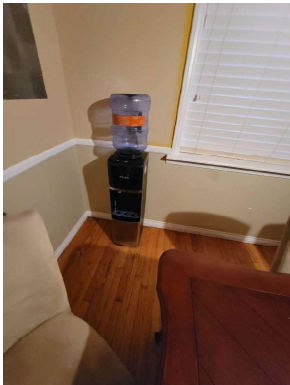
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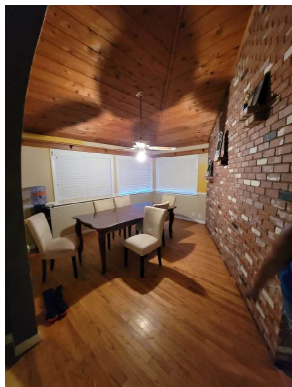




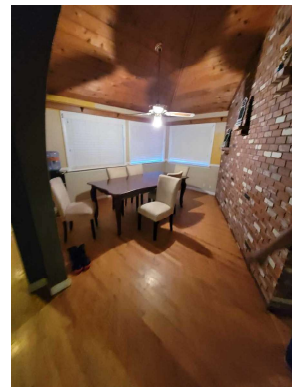
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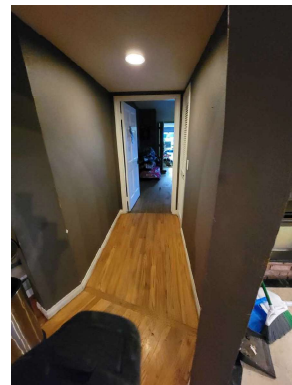
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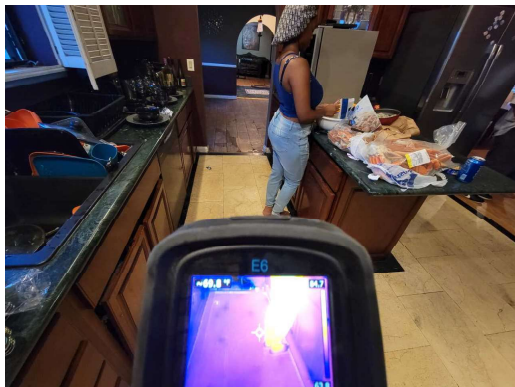




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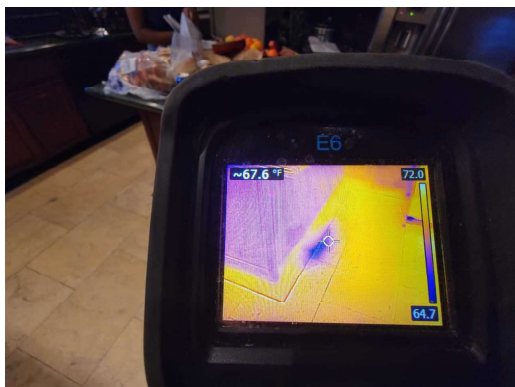
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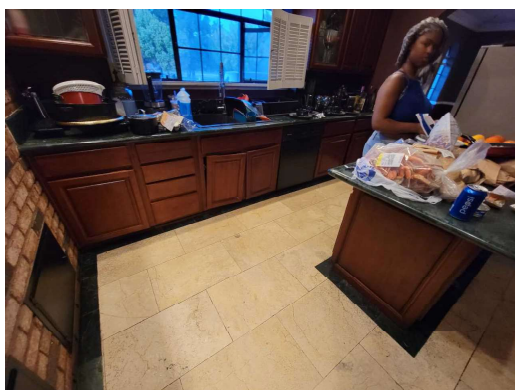
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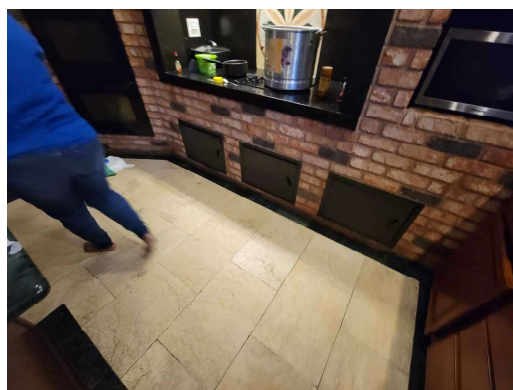
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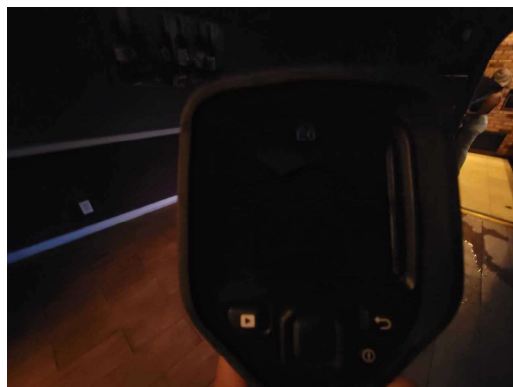
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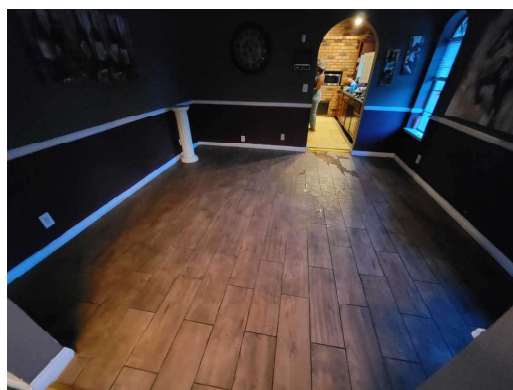
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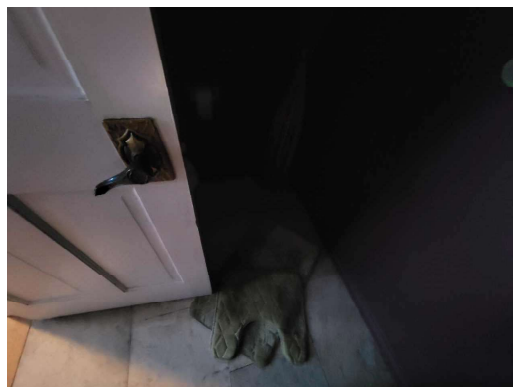
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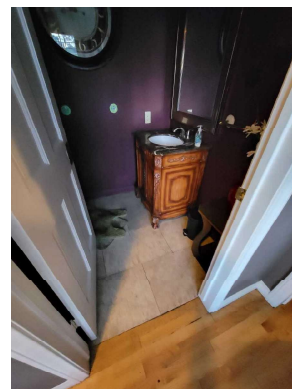
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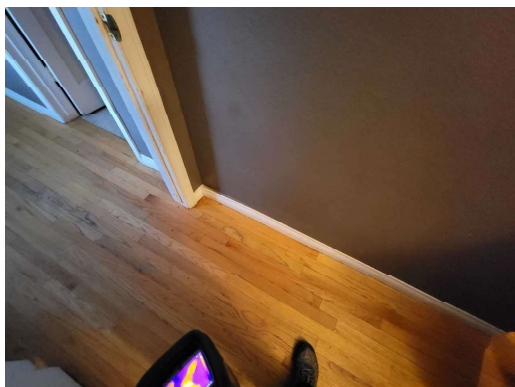
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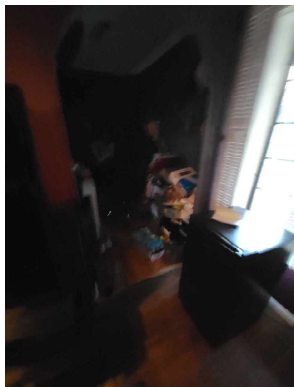




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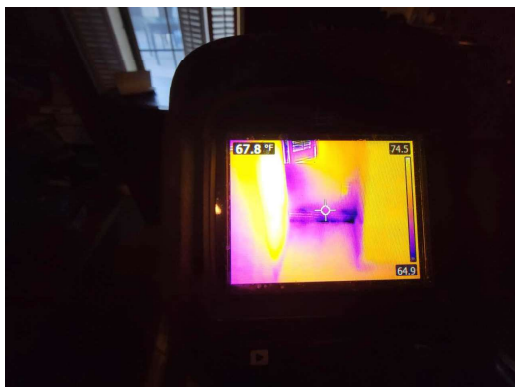
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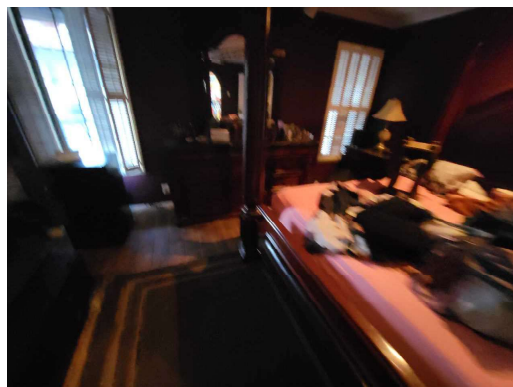
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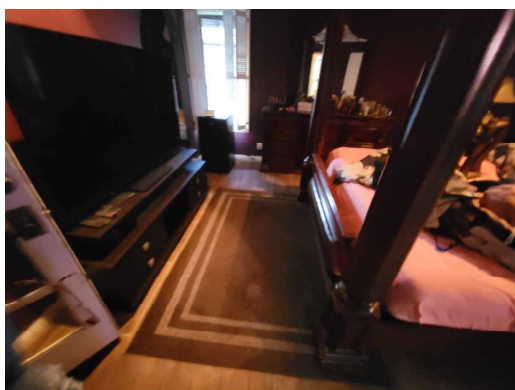
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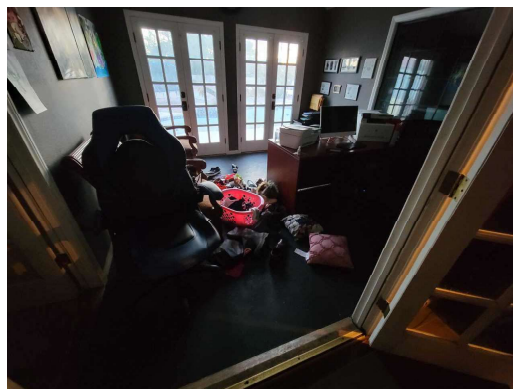
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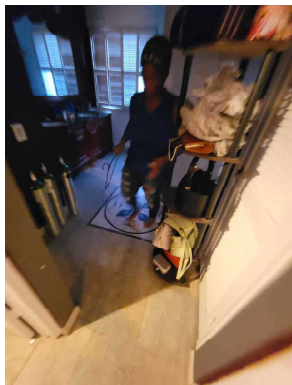
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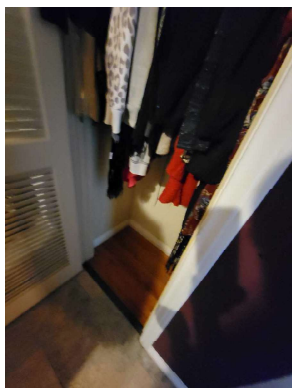
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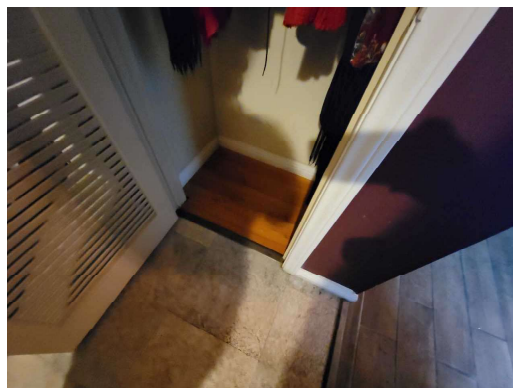
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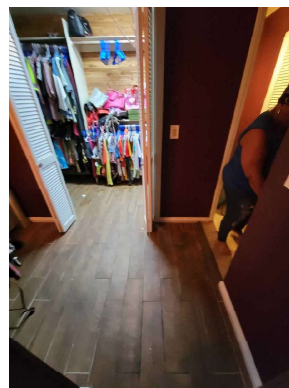
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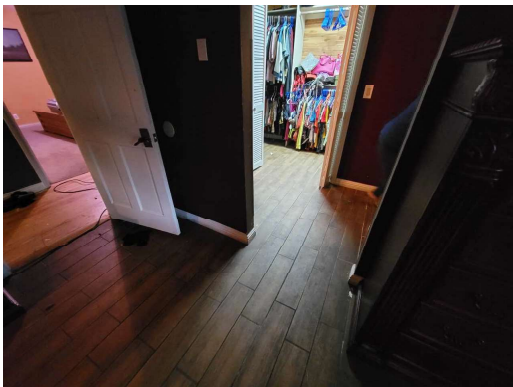




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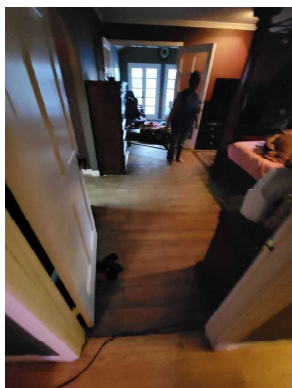
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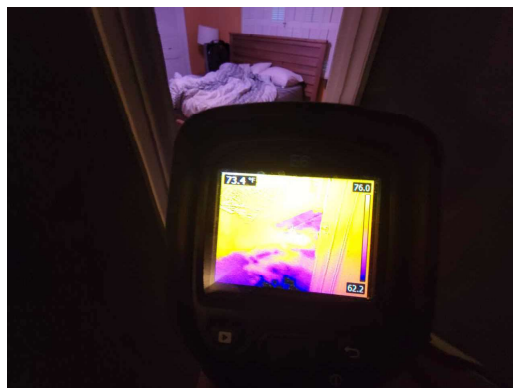
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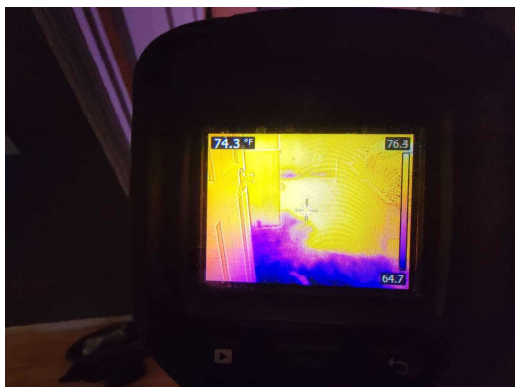




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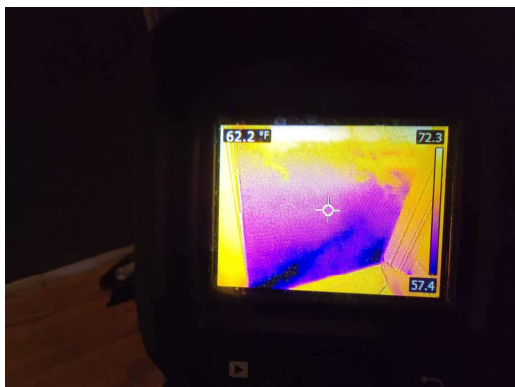
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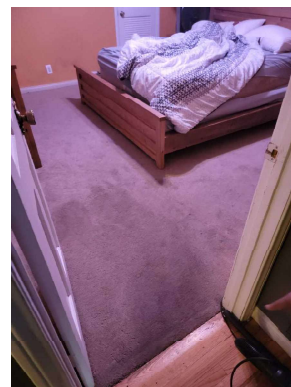
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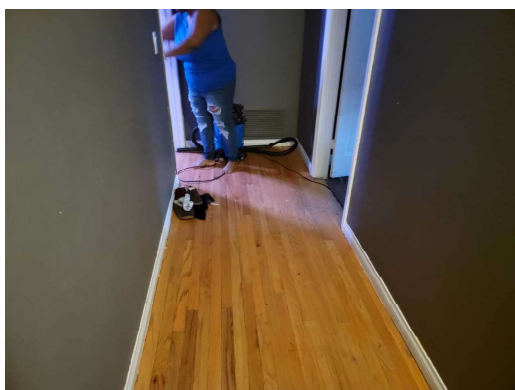
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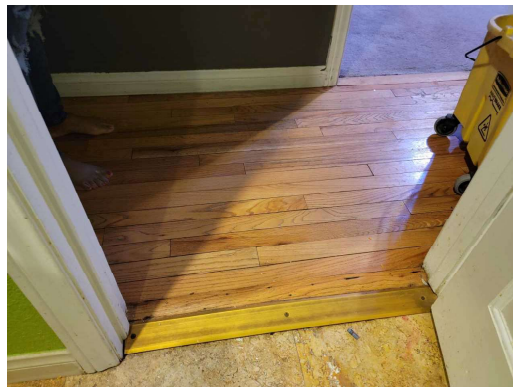
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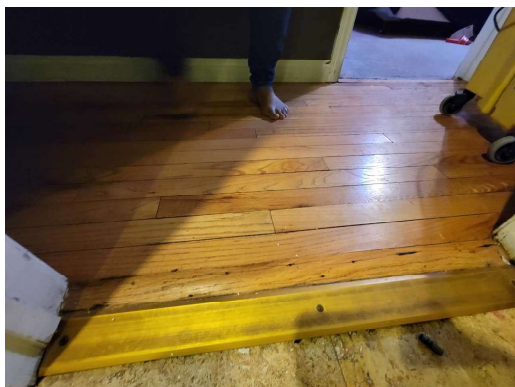
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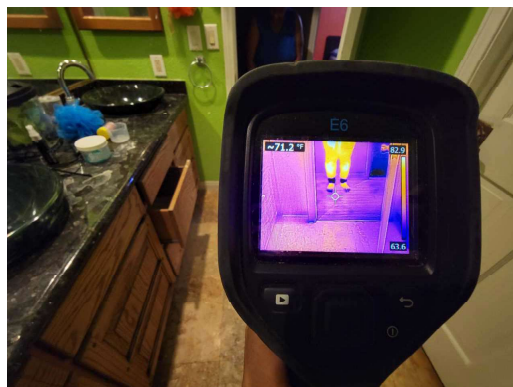
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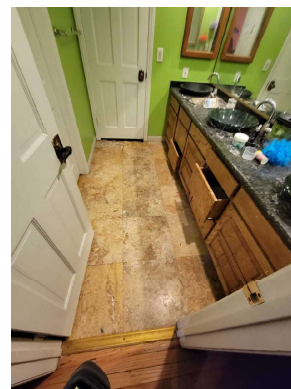
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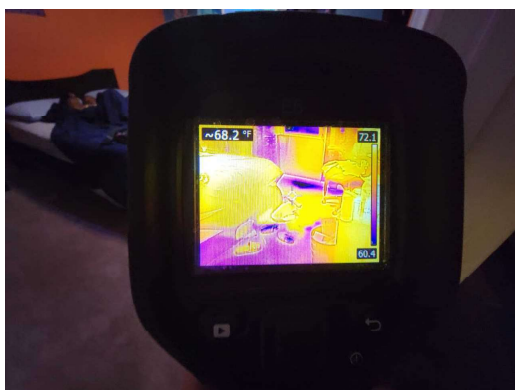
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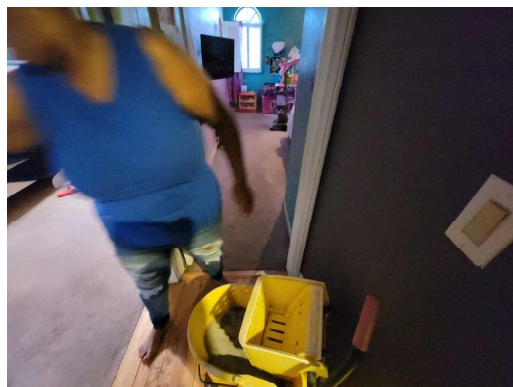
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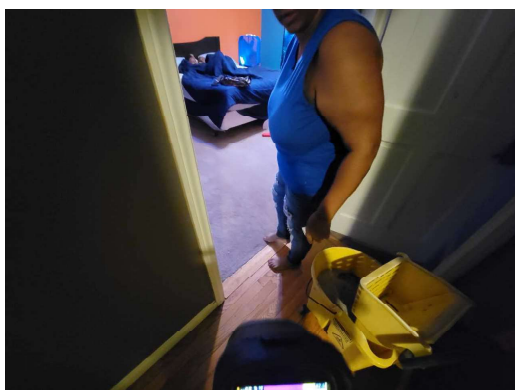
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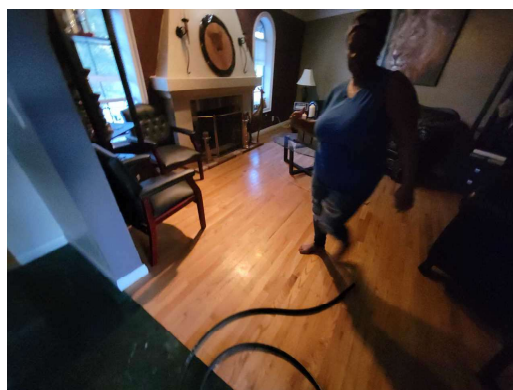
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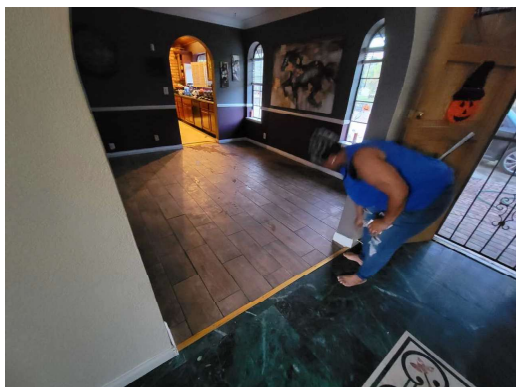
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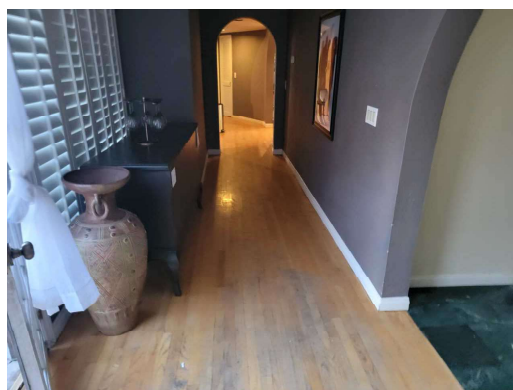
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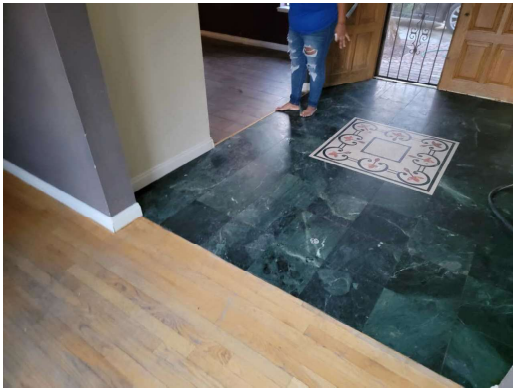




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(702) 608-8668
www.puroclean.com/psw-nv
PuroCleanNV@gmail.com
slai@puroclean
TAX ID: 87-1614944

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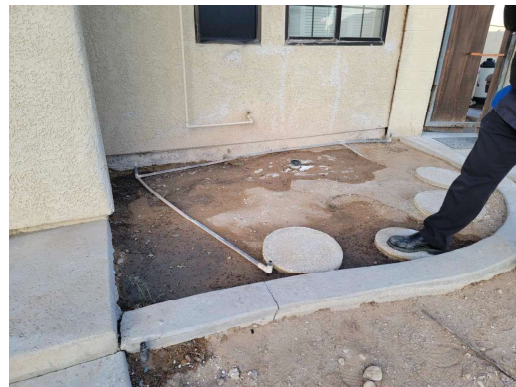
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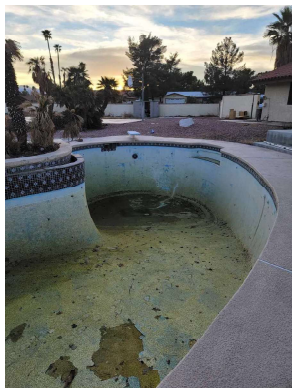
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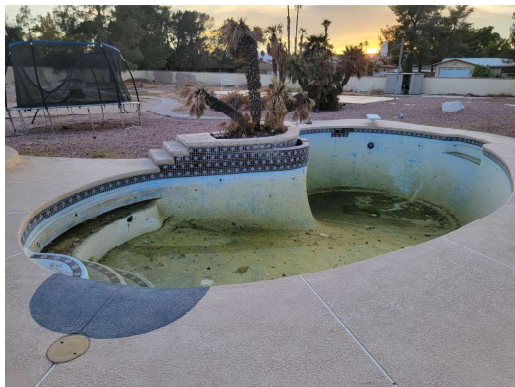




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Image Detail			
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5	5-20221104_174305	11/4/2022	
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Continued - Image Detail

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Continued - Image Detail

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Continued - Image Detail

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146	146-20221104_172858	11/4/2022	
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EXHIBIT 2

JUSTICE COURT, TOWNSHIP OF LAS VEGAS
CLARK COUNTY, NEVADA

Plaintiff's
Name: TAKO, LLC c/o Kerr Simpson Attorneys at Law
Address: 2900 W. Horizon Ridge Parkway, Suite 200
City, State, Zip: Henderson, NV 89052
Phone: 702-451-2055
E-Mail: taylor@kerrsimpsonlaw.com

Case No.: 21E014316
Dept No.: _____

Plaintiff,
vs.

Defendant's
Name: Parnell Colvin
Address: 6681 Tara Ave
City, State, Zip: Las Vegas, NV 89146
Phone: 503-490-6564
E-Mail: PC681@yahoo.com

Defendant.

MOTION TO PLACE ON CALENDAR
(SUMMARY EVICTION)

(Insert your name) TAKO, LLC, the (check one box)

☒ Landlord or ☐ Tenant in this summary eviction case, requests that the Court place this matter on its calendar for a hearing. I believe a hearing is warranted and necessary for the following reasons (describe why you think a hearing is required and what action you want the Court to take):

The Court should place the matter on calendar and should issue an order to evict Defendant because the Justice Court now has jurisdiction. On November 7, 2022, the Federal Court issued an Order dismissing the Federal Case (Case No. 2:22-cv-00082-CDS-DJA) for lack of Subject-Matter Jurisdiction. See Order attached hereto as Exhibit 1. Thus, the Justice Court now again has jurisdiction to hear the instant case and issue an Order evicting Tenant from the premises for Tenant's unlawful detainer.

(Check if attaching additional pages ☐)

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

11/8/2022
(Date)

Taylor Simpson, Esq.
(Type or print name)


(Signature)

CERTIFICATE OF SERVICE

I CERTIFY that on *(insert date document served)* November 8, 2022, I served this **MOTION TO PLACE ON CALENDAR (SUMMARY EVICTION)**, pursuant to JCRCP 5(b), by the following method *(check one box)*:

- ☒ Depositing a copy in the United States Mail in Las Vegas, Nevada, postage prepaid, to the address listed below *(on lines below insert name and mailing address of opposing party's attorney, or opposing party directly if no attorney is involved)*.
- ☐ Delivering, by hand delivery, a copy to the address listed below and leaving it (i) with the opposing party or opposing party's attorney; (ii) at the office of the opposing party with a person in charge or in a conspicuous place; or (iii) at the dwelling house of the opposing party with a person of suitable age and discretion residing therein *(on lines below insert name and mailing address of the opposing party, opposing party's agent or attorney, or person of suitable age and discretion, as applicable)*.

Parnell Colvin

6681 Tara Ave

Las Vegas, NV 89146

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

11/8/2022

(Date)

Lisa Peters

(Type or Print Name)

(Signature)

EXHIBIT 1

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA
4

5 Parnell Colvin,

6 Plaintiff

7 v.

8 Tako, LLC,

9 Defendant
10

Case No. 2:22-cv-00082-CDS-DJA

Order Dismissing Case for Lack of Subject-Matter Jurisdiction and Denying Motions

[ECF Nos. 32; 35; 37]

11 Pro se plaintiff Parnell Colvin attempted to “remove” an eviction action brought against
12 him by Tako, LLC in the Las Vegas Justice Court to this court by filing this action. Compl., ECF
13 No. 1. He alleged that there “[was] a clear violation of his constitutional right to due process”
14 because he was unable to participate in a court proceeding due to contracting COVID-19. *Id.*
15 When the state court proceeding was rescheduled, Colvin sought injunctive relief from this
16 court through an emergency motion for a preliminary injunction (ECF No. 11) and temporary
17 restraining order (ECF No. 12). Because the allegations in the motions were insufficient to
18 establish that subject-matter jurisdiction was present in this case, I ordered Colvin to file a
19 written response, within thirty days, explaining why the action should not be dismissed for lack
20 of subject-matter jurisdiction. Order, ECF No. 15. Following that order to show cause, Colvin
21 filed four motions seeking more time to file a response. *See* ECF Nos. 21, 26, 30, 33. I granted
22 Colvin an additional nine days in which to file a written response to the show-cause order. ECF
23 No. 31. Colvin was reminded that failure to respond by the October 27, 2022, deadline would
24 result in the dismissal and closing of his case without further notice. ECF No. 33.
25
26

1 Although Colvin timely filed a response, he has not demonstrated that this court has
2 subject-matter jurisdiction over this case. In his response, Colvin reasserts that “his federal
3 rights to due process w[ere] violated by the defendant which gave cause to moving the case to
4 federal court to deal with federal law[,] not state law.” Resp., ECF No. 36 at 2. While Colvin is
5 correct that under 28 U.S.C. § 1331, United States district courts have original federal question
6 jurisdiction “of all civil actions arising under the Constitution, laws, or treaties of the United
7 States,” not every invocation of federal law will suffice to make the claim subject to federal
8 jurisdiction. 28 U.S.C. § 1331. Colvin may not “transform a state-law issue into a federal one
9 merely by asserting a violation of due process.” *Langford v. Day*, 110 F.3d 1380, 1389 (9th Cir. 1996),
10 *cert. denied*, 522 U.S. 881 (1997). In support of his position, Colvin merely cites federal laws in
11 overbroad terms, which do not sufficiently demonstrate that this court has the jurisdictional
12 authority to preside over this action. I cautioned Colvin in my show-cause order that his failure
13 to sufficiently establish subject-matter jurisdiction “will result in the dismissal and closing of
14 this case without further notice.” ECF No. 15 at 4. He was thus on notice that his case could be
15 dismissed, in compliance with the Ninth Circuit’s requirement that “before dismissing a pro se
16 complaint[,] the district court must provide the litigant with notice of the deficiencies in his
17 complaint.” *Ferdik v. Bonzelet*, 963 F.2d 1258, 1261 (9th Cir. 1992) (citation omitted).

18 I find Colvin’s response to the order insufficient to establish the existence of subject-
19 matter jurisdiction. “If the court determines at any time that it lacks subject-matter jurisdiction,
20 the court must dismiss the action.” Fed. R. Civ. P. 12(h)(3). Because it is not clear how or
21 whether this court has jurisdiction over this case, I dismiss it for lack of subject-matter
22 jurisdiction.

Conclusion

IT IS HEREBY ORDERED that plaintiff's Motion for Recusal (ECF No. 32), Motion for Court to Rule (ECF No. 35), and Motion to Extend Time to Reply to Court Order First Request (ECF No. 37) are DENIED as moot.

IT IS FURTHER ORDERED that this case is DISMISSED with prejudice for lack of subject-matter jurisdiction. The Clerk of the Court is directed to CLOSE THIS CASE. Colvin is cautioned that he may not file further documents in this case because it is now closed.

DATED: November 7, 2022

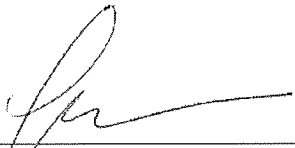

Cristina D. Silva
United States District Judge

EXHIBIT 3

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

TAKO LLC

Landlord,

CASE NO.

21E014316

-vs-

PARNELL COLVIN

Tenant.

MOTION TO CONTINUE
SUMMARY EVICTION HEARING AND/OR
FOR TELEPHONIC APPEARANCEI am the (check one box) ☐ Landlord or ☒ Tenant in this summary eviction case, and I request that the Court:☒ continue the hearing set for (insert current date of hearing) next week for the following

reasons (describe why you need a continuance):

DAVID BROWN changed my court date time
on the 17 of November at 10:00am until I get but I have
a hearing in federal court the same date and time☐ allow for my telephonic appearance for the following reasons (describe why you are requesting a telephonic appearance):This court don't even have Jurisdiction
Federal removal is in place but DAVID BROWN will
violate the

If my request for a telephonic appearance is granted, the telephone number where I can be reached for the hearing is (insert your telephone number where you want to be called for the hearing):

I am including the following documents to support my request (attaching documents will help prove your request):

you don't even have Jurisdiction to hear this case

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

11/15/2022

(Date)

PARNELL COLVIN

(Print name)

[Signature]

(Signature)

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing MOTION TO CONTINUE SUMMARY EVICTION HEARING on (insert date of service) _____, pursuant to JCRCP 5(b) by depositing a copy of the same in the United States Mail in Las Vegas, NV, postage prepaid, addressed as follows:

(Other party's name)

TAKO LLC

(Other party's address)

2911 TARNATE RD
Anderson, NV 89052

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

11/15/2022

(Date)

PARNELL COLVIN

(Print name)

[Signature]

(Signature)

DAVID BROW you have no
Jurisdiction case is removed to federal court!

1 PARNELL COLVIN

(Name)

2 6681 TARA AVE

(Address)

3 LAS VEGAS, NV 89146

(City, State, Zip Code)

4 (503) 490-6564

(Telephone Number)

5 PC681@YAHOO.COM

(E-mail Address)

6 ☐ Plaintiff/ ☐ Counterclaimant/ ☐ Cross-Claimant/7 ☐ Third-Party Claimant, In Proper Person

8 JUSTICE COURT, TOWNSHIP OF LAS VEGAS

9 CLARK COUNTY, NEVADA

10 TAKO LLC

Case No.: 21E014316

11 Plaintiff(s),

Dept. No.: _____

12 vs.

13 PARNELL COLVIN

14 Defendant(s).

15 ☒ DOCUMENTS IN SUPPORT OF: (insert name of document you are supplementing)

16 NOTICE OF REMOVAL TO FEDERAL COURT

17 ☐ OTHER: (insert title of document)

18 FEDERAL CIVIL COVER SHEET / SUPPORT DOCS

19 DATED this 15 day of NOVEMBER, 2022.

20 I declare under penalty of perjury under the laws of the
21 State of Nevada that the foregoing is true and correct.22 

(signature)

23 PARNELL COLVIN

(print name)

24 ☐ Plaintiff ☒ Defendant ☐ Other

25 In Proper Person

CERTIFICATE OF MAILING

I CERTIFY that on the 15 day of NOVEMBER, 2022, I placed a true and correct copy of the _____ in the United States Mail, with first-class postage prepaid, addressed to the following (*insert name and address of each party in the case*):

TAKO LLC

2411 TARAGATO

HENDERSON, NV 89052

KERR SIMPSON ATTORNEYS AT LAW

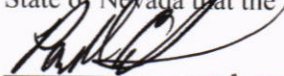
TAYLOR SIMPSON, ESQ BAR NO: 13956

2900 W. HORIZON RIDGE PARKWAY, SUITE 200

HENDERSON, NV 89052 (702) 451-2055

DATED this 15 day of NOVEMBER, 2022.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.



PARNELL COLVIN

(signature)

(print name)

1 PARNELL COLVIN
2 6681 TARA AVE
3 LAS VEGAS, NV 89146
4 PH: (503) 490-6564
5 EMAIL: PC681@YAHOO.COM
6
7
8

9 TAKO LLC, LANDLORD

CASE # 21EO143616

JC CIVIL EVICTIONS

12 VS.

MOTION TO INFORM THE COURT
IT HAS NO JURISDICTION TO
HEAR CASE DO TO REMOVAL
NO HEARING IS NECESSARY.

13 PARNELL COLVIN, TENANT
14 _____/

15
16
17 Comes now defendant / tenant Parnell Colvin, and is informing Hearing Master
18 David Brown, that he has jurisdiction to hear said case and make sure he want try and violate
19 Mr. Colvin, constitutional rights. Colvin, has removed the said case to federal court with the filing
20 of the notice of removal with the the United States District Court of the District Court of Nevada and
21 also filing said notice of removal with the Las Vegas Justice Court ending this courts jurisdiction to
22 hear this case. The state court shall not proceed no further unless case is remanded.
23
24 See " 28 U.S.C. 1446 (d); See also Ackerman V. Exxon Mobile Corp (4th Cir. 2013) 734 F3D 237,
25 249-250 (ANY POSTREMOVAL ACTION BY THE STATE COURT IS VOID AB INITIO).
26
27
28

1 The state court may resume jurisdiction only if and when the case is remanded by the
2 federal court see (Allstate Ins. Co. V. Sup Ct. (Wickham) (1982) 132 Cal App. 3d 670, 676
3 (no power to resume if federal court dismisses rather than remand); See also
4 Murray V. Ford Motor Co. (5th Cir. 1985) 770 F2d 461, 463 (state court has no power to set
5 aside default judgement after removal). The removal is effected automatically by defendant filling
6 requisite document and giving the required notice (above). See 28 U.S.C. 1446 (e); see also
7 Rollwits V. Burlington Northern Railroad (D MT 1981) 507 F. Supp. 582.584..
8

9
10 Once the notice of removal is filed with the state court 28.U.S.C. 1446 a case is removed
11 from the jurisdiction of the state case for all purposes until case is remanded. No valid
12 proceedings can be taken in the state case court at any time following the filing of such notice of
13 removal with the clerk of the state court. Furthermore, that any action taken in the state court
14 thereafter and prior to remanding the cause to such state court, will have no force or effect.
15
16

17 U.S.C.1446 (West 2015) (boldface omitted) (emphasis added). " Hence, after removal, the
18 jurisdiction of the state court absolutely ceases and the state court has a duty not to proceed any
19 further in the case. Any subsequent proceedings in state court on the case are void ab initio,
20 See Masseda V. Honda Motor Co. Ltd 861 F.2d 1248, 1254-55 (11 Cir. 1988) (Internal citation
21 omitted), See DB50-2007-1 Tr, v. Dixon, 723 S.E. 2d 495, 496 (Ga Ct App. 2012). Any
22 proceedings in the state court after removal of a case to federal court are null and void and must be
23 vacated.
24
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26 ///////////////
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28

CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties with a copy of the foregoing pleading. By depositing same in the United States mail with adequate postage thereon to assure delivery to the the following listed below and the parties also get the filing with the court through E-FILE.

TAKO LLC
2411 TARAGATO AVE
HENDERSON, NV 89052

KERR SIMPSON ATTORNEYS AT LAW
TAYLOR SIMPSON, ESQ BAR NO: 13956
2900 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NV 89052
TEL: (702) 451-2055

ATTORNEYS FOR PLAINTIFF

DATED THIS NOVEMBER 15, 2022



PARNELL COLVIN

PARNELL COLVIN
6681 TARA AVE
LAS VEGAS, NV 89146
PH: (503) 490-6564
EMAIL: PC681@YAHOO.COM
Case No: 21E014316

Dear Hearing Master Brown,

I have filed a notice of removal with the United States District Court of Nevada and also filed the same notice With Las Vegas Justice Court. You should no the law and understand you have no legal jurisdiction to hear said case and you should no any actions you take or try and hear this case is illegal and I will file a complaint with Nevada Commision on Judicial Discipline and request that you be removed from the bench for intentionally and knowingly violating the laws and my constitutional rights. I No, you could not wait for this case to be refiled with you. You gave me less than a week to appear not taking into account the Veteran Day Holiday and no mail was being delivered on that day or sundays.

I have been before you several times so I know how you operate. You are a one sided hearing master always for the landlord. You like to restrict tenants from presenting and arguing their cases in front of you especially black tenants like myself which may go towards your biases and prejudices towards black tenants that I have witnessed before including myself. My last name starts with the letter (C) and cases are called in alphabetical order but when I come before you you call my case last because I have corrected your wrong positions many times and you don't want other tenants to no their rights so you can abuse them! Not me. It was clear you did not understand the laws and you were violating the law and their rights but the tenants did not know how to fight back so I prepared myself for you.

I witnessed you call a black tenant case the landlord did not show up so you dismissed the case an hour later the landlord showed up you recalled the case knowing the tenant had already left the court. You then granted the landlord eviction; the poor tenant did not know he was getting evicted but you did. I witnessed another minority tenant do work in lieu of rent and you forced him and his young daughter to leave the property he worked on after he did all the work to get the landlord's house up to code and liveable and you forced them out.

Another black female tenant was before you trying to plead her case you would not let her speak or defend her position. Telling her to be quiet while you always let the landlords, agents or their attorneys speak out of place and freely submit documents that were not filed with the court so tenants don't have an opportunity to properly prepare for your hearings. When black tenants like myself try to show you a document the first thing you say is was it filed with court. You have a double standard. I have witnessed your clear prejudices and bias towards black tenants.

Now my experiences before you. I came before where I went to the landlord's house to pay my rent and video recorded my efforts to pay my rent. The law is clear once a landlord requests rents and tenants want to pay rent the landlord can't then refuse to accept the rent. You disregarded the video and then asked the landlord what she wanted to do and I even brought the rent to court. The landlord said She wanted me out and so you granted the eviction. What you should have said was I see from a video that Mr. Colvin, is at your home to pay the rent and you are refusing to accept the rent. So if you don't take the rent that is on you but I will not grant the eviction but no you are always for the landlord so you evicted me anyway.

I had hired an attorney, Alexis Brown, while she was trying to defend my position. While she was looking at documents her head was down I kept my eyes on you the whole time as you rolled your eyes at her to suggest she was wasting your time. She was unaware of your demeanor so I spoke out and you tried to intimidate me by having your bailiff stand behind me like you did with Ms. Brown, and the previous black tenant.

Another incident you let the same landlord submit a forged fraudulent lease agreement where the landlord, Tako LLC, forged Ms. Brown personal information on my lease so she would be a tenant so you could evict her. She explained to you that she was not a tenant you must have realized that Tako LLC, submitted a forged fraudulent lease agreement with the court you then asked Ms. Brown, where I was, she said I was at work. Any other judge would have been disturbed that a landlord would have the audacity to commit such a crime within the court not Hearing Master David Brown, as long as he gets to grant an eviction it's all fair game.

Furthermore the same fraudulent forged lease agreement was again submitted again by Tako LLC, attorney Taylor Simpson, You both should fact check facts. Then last but not least David Brown, I filed an answer to the same Tako LLC, summary eviction I was waiting for my court date for a hearing. Instead what you did was try and be sneaky instead of giving me a court date you did not instead you granted the eviction without a hearing. I had to leave work to go to the constable to cancel the lock out and I showed the constable that I had filed an answer and I was waiting for a court date. The constable informed you that it would not do a lock out.

So you gave me a court date and at the hearing I called you out on your illegal attempt to evict me. During our hearing you apologized and blamed it on your staff stating to me that you just signed what your staff puts before you. I asked do you fact check what you sign and you said no. David Brown, you owe me \$ 500.00 for missing work to attend your illegal eviction hearing that day remember?

You and Taylor Simpon, want to label me as a vexatious or litigious litigator because I just want stand down and like you violate my rights not happening with me. You both talk about my bankruptcies. Neither one of you know what has happened with my cases know the facts before you just say things that you have no knowledge about what transpired. David Brown, you should not take this case so personally and understand citizens have rights and can exercise them when they choose. I know this case is personal for you and I have always been. I am always prepared to fight, no need to rant and complain in your orders, just keep it simple and state you

don't have any legal jurisdiction to hear this case. At the end of the day I know how bad you want to evict me. I have taken the liberty of submitting the court's minutes from the DISTRICT COURT CLARK, NEVADA Judge Maria Gall. She understood the law and acknowledged my notice of removal to federal court. She told Taylor Simpson many times that she did not have jurisdiction because of my notice of removal. Mr. Simpson, cried and ranted for about 10 minutes and the judge kept telling him she did not have jurisdiction. After listening to attorney Taylor Simpson cry and try to pressure the judge to hear him she repeatedly told him she had no jurisdiction. This is the problem of trying to have some form of sympathy for the landlords. Attorneys like Taylor Simpson, lie all the time in their motions, brief lawsuits etc to try and get the advantage.

Not to mention I was never served and probably forged the proof of service that has been filed with the court because I was to be served by Tako LLC, had 48 hours before the hearing to serve me which I was not. Tako LLC, or this court by and through attorney Taylor Simpson, want to walk over and violate my rights and I have the right to fully exercise my rights in state and federal court!

A-22-860164-C

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Unlawful Detainer

COURT MINUTES

November 03, 2022

A-22-860164-C Tako, LLC, Plaintiff(s)
vs.
Parnell Colvin, Defendant(s)

November 03, 2022 11:30 AM Minute Order

HEARD BY: Gall, Maria

COURTROOM: Chambers

COURT CLERK: Kory Schlitz

PARTIES None - Minute Order Issued from Chambers
PRESENT:

JOURNAL ENTRIES

- On November 3, 2022, the Court held a hearing, at which it recognized that Plaintiff had filed a notice of removal to federal court divesting this Court of jurisdiction and, therefore, the Court would not proceed further. Following the hearing, Plaintiff e-mailed the Court, asking among other things that the Court recuse itself from this case for bias and prejudice and informing the Court that Plaintiff intended to file a complaint with the Nevada Commission on Judicial Discipline. The Court reiterates that it is divested of jurisdiction from this case given the notice of removal and will not proceed further unless and until the case is remanded to this Court.

CLERK'S NOTE: Counsel are to ensure a copy of the forgoing minute order is distributed to all interested parties; additionally, a copy of the foregoing minute order was distributed to the registered service recipients via Odyssey eFileNV E-Service; and mailed to: Parnell Colvin 6681 Tara Ave, Las Vegas, Nevada 89146 (11-3-2022 ks).

JS 44 (Rev. 10/20)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

PARNELL COLVIN / PRO SE

(b) County of Residence of First Listed Plaintiff CLARK
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS	FILED	RECEIVED
TAKO LLC	ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD		
County of Residence of First Listed Defendant <u>CLARK</u>		
(IN U.S. PLAINTIFF CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.)		
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.		
Attorneys (If Known) <u>CLERK US DISTRICT COURT</u>		
DISTRICT OF NEVADA		
BY: _____	DEPUTY _____	

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSDI Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Recopened
- ☐ 5 Transferred from Another District (specify) _____
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
 28 U.S.C 1441 AND 1446 ALSO VIOLATING STATUE 18 U.S.C. SECTION 1343

Brief description of cause:

DEFENDANT HAS VIOLATING PLAINTIFF DUE PROCESS AND CONSTITUTIONAL RIGHTS.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
100,000

CHECK YES only if demanded in complaint:
 JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DAVID BROWN / HEARING MASTERDOCKET NUMBER 21E01436

DATE
NOVEMBER 15, 2022

SIGNATURE OF ATTORNEY OF RECORD
 PARNELL COLVIN 

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____

1 PARNELL COLVIN
2 6681 TARA AVE
3 LAS VEGAS, NV 89146
4 PH: (503) 490-6564
5 EMAIL: PC681@YAHOO.COM

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
NOV 15 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

8 2:22-cv-01928-CDS-NJK

9 PARNELL COLVIN,

10 Pliantiff.

11 COMPLAINT FOR COMPENSATORY
12 AND PUNITIVE DAMAGES

13 VS.

14 &

15 TAKO LLC,

16 DEMAND FOR JURY TRIAL

17 Defendant.

18 COMES NOW Pliantiff Parnell Colvin and hereby complains, avers and alleges as
19 follows:

20 I.

21 PARTIES AND JURISDICTION

- 22
- 23
- 24 1. At all times relevant herein, Mr Colvin was a resident of the County of Clark, state of Nevada.
- 25 2. Plaintiff is informed and believes and thereon alleges that at all times relevant herein,
- 26 Defendant TAKO LLC, was a Nevada corporation doing busniess in the County of Clark, state of
- 27 Nevada.
- 28

II.

STATEMENT OF FACTS

Jurisdiction is proper in this court as this action arises under federal law: for example provisions of title 18 U.S.C 1343 Fraud by wire, radio, or television. Where the defendant filed a forged fraudulent lease contract with the state court using a electronic devise. The defendant knew the document was it electronically filed was fraudulent because the defendants forged Ms. Brown, personal contact information on plaintiff Colvin, contract lease to try and illegally gain an advantage in state court proceedings. Plaintiff Colvin, filed a police report with the Nevada state attorney general office. The Nevada State Attorney general instructed Plaintiff Colvin, to file a police report against the defendant Tako LLC.

Colvin, filed a police report with the Las Vegas Metro Police Department. Colvin, believes using a wire transfer or electronic devise to knowingly and intentionally alter an lease contract and file this illegal document through electronic means for the purpose of knowingly committing a federal crime. Plaintiff Colvin, will file with the court the forged, fraudulent lease contract the defendant electronically filed to commit the fraud and identity theft.

II.

The defendant also committed Identity Theft due to the sharpe rise in Identity Theft and Assumption Deterrence Act in 1998. Under this act 18 U.S.C. 1028 was amended to make it a federal crime to knowingly commit, attempt to commit, or aid in the committing identity theft.

III.

Plaintiff Colvin, was never served Colvin, is sure that it probably a proof of service filed in state court as many processors will just file in the blanks and file with the court and the courts believe the person was served. This is a commom practice because the companies want busniess and if they are not serving the person they were hired to serve the service company loses busniesses. Not serving me is a denial of due process and can lead to a court granting a default motion. Colvin, knows how important this process is and court demand that the other party be served.

Cases get dismissed if no proof of service is timely filed with the courts. Defendants violated Nevada Revised Statutes Chapter 14 - Commencement of Actions NRS 14.025 - certain requirements for proof of service of process filed with the court. The defendant has violated theses requirements and Colvin, due process rights have been violated as he was never served. This has become a problem all over the country where these procesors are filing and claiming they have served the persons named in legal papers when in fact the persons have never been. Often learning about court proceedings after getting garnished because a default judgement was entered against a party.

Plaintiff Colvin, is reserving his right to amend his complaint at a later date if becomes necessary to litigate his complaint.

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////////

1 WHEREFORE. Plaintiff Colvin, prays for judgment against the defendant as follows:

2 a. For compensatory damages in the sum according to proof at trial;

3 b. For special damages in the sum according to proof at trial;

4 c. For consequential damages in the sum according to proof at trial;

5 d. For punitive damages in a sum according to proof at trial;

6 e. For all equitable and declaratory relief available;

7 F. For interest and pre- judgment interest at the statutory rate until the amount of

8 judgment is paid in full;

9 g. For such other and futher relief as the court may deem appropriate.

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23 DATED THIS NOVEMBER 15, 2022

24
25
26 
27 PARNELL COLVIN
28

U.S. District Court**Nevada None - Las Vegas**

Receipt Date: Nov 15, 2022 1:39PM

Parnell Colvin

Rcpt. No: 200001285

Trans. Date: Nov 15, 2022 1:39PM

Cashier ID: #HM

CD	Purpose	Case/Party/Defendant	Qty	Price	Amt
*201B	Civil Filing Fee/PLRA-PIF/Non-IFP		1	402.00	402.00

CD	Tender	Amt
CA	Cash	\$402.00
Total Due:		\$402.00
Total Tendered:		\$402.00
Total Cash Received:		\$402.00
Cash Change Amount:		\$0.00

Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FILED	DE 22
ENTERED	SERVED ON
COUNSEL PARTIES OF RECORD	
NOV 15 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

TAKO LLC,

Plaintiff.

Case No: 21E014316
JC CIVIL

VS.

2:22-cv-01928-CDS-NJK

PARNELL COLVIN,

Defendant.

_____/

NOTICE OF REMOVAL OF CIVIL ACTION

Comes Now , The defendant in the above styled case, and files this Notice of Removal pursuant to 28 U.S.C. 1441, and 1446 and respectfully states the following.

(1). The case of (TAKO LLC V. PARNELL COLVIN) was filed and is presently pending in the Las Vegas Justice Court in Clark County Nevada the same being Civil Action Number 21E014316.

(2). The defendant contends that the plaintiff has violated certain rights provided by the United States Constitution Due Process guaranteed by the Fourteenth and Fifth Amendments of the United States Constitution.

(1).

(3). This court has jurisdiction in the matter on the basis of federal question jurisdiction pursuant to 28 U.S.C. 1331 and 1441 (b).

(4). Additionally, there is supplemental jurisdiction regarding other claims in this action pursuant to 28 U.S.C. 1367.

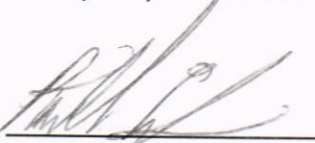
(5). Venue properly rests in the United States District Court of Nevada, as this case has been removed from Las Vegas Justice Court of Clark County Nevada.

(6). Defendant Parnell Colvin, is exercising his United States Constitutional right to removal of this action to the United States District Court District of Nevada.

(7). The filing of this notice in the United States District Court District Court of Nevada and filed with the Las Vegas Justice Court This action removes jurisdiction to the United States federal court and Las Vegas Justice has no legal jurisdiction over said case and any further proceedings are illegal and must cease.

DATED THIS NOVEMBER 15, 2022

Parnell Colvin
6681 Tara ave
Las Vegas, Nv 89146
Email: pc681@yahoo.com
PH: (503) 490-6564



PARNELL COLVIN

(2).

EXHIBIT 4

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

TACO LLC,

Tenant(s),

vs.

PARNELL COLVIN,

Tenant(s).

CASE NO.: 21E014316

DEPT. NO.: JC Civil Evictions

**ORDER VACATING HEARING and
CONTINUING STAY UNDER
FEDERAL REMOVAL NOTICE**

This matter was initiated by Landlord's service of a 30-day "no cause" tenancy termination notice on June 2, 2021 and a 5-day unlawful detainer on July 15, 2021. Tenant filed a contesting affidavit on July 19, 2021. Tenant filed a Civil Cover Sheet suggesting removal to federal court on July 21, 2021. The September 7, 2021 hearing in this matter was vacated on August 26, 2021 based upon Tenant's removal filing.

Tenant has now filed a third attempt to remove this matter to U.S. District Court in Case No. 2:22-cv-01928-CDS-NJK, which was filed as a document in support of Tenant's Motion to Continue this action filed on November 15, 2022. This matter had been placed back on calendar for hearing on November 17, 2022 per motion by Landlord providing notice of the Federal Court's order dismissing with prejudice Tenant's second removal action, Case No. 2:22-cs-00082-CDS-DJA. In its November 7, 2022 order of dismissal, the Federal Court found that it did not have jurisdiction over the eviction dispute. (Plaintiff's first removal attempt was dismissed on November 23, 2021 in Case No. 2:21-cv-01373-APG-BNW.)

Due to the special circumstances of this case, this hearing officer consulted the court's Chief Judge, together requesting legal research to be performed regarding whether this court can move forward with hearing despite the third removal notice when the second removal action was dismissed with prejudice. This hearing officer was informed that the court must recognize the current removal notice and stay the action further. This court may move forward if the Federal Court affirmatively prohibits the Tenant from filing a new removal as it pertains to this eviction

1 action or sanctions the Tenant in some other form which makes it clear the Justice Court may
2 proceed.

3 It may be appropriate for the court to comment on the ongoings of this case. First,
4 Tenant's argument for removal has been that this court held a hearing without him in violation of
5 his constitutional rights. The court points out two things in regard to this. First, Tenant was
6 incorrect in alleging the court held a hearing without him. The court vacated the hearing and has
7 never had a hearing in this matter despite it commencing on July 19, 2021. So, there has been no
8 denial of any right to participate in a hearing. Second, the Federal Court in Tenant's second
9 removal action pointed out that the constitution did not provide any right to hearing in this matter.
10 That is afforded to individuals subject to criminal complaint.

11 It is also appropriate to respond to Tenant's mantra that the Justice Court does not have
12 jurisdiction to hearing this matter. This hearing officer knows that the Justice Court has
13 jurisdiction to hear these matters. Over the course of six years hearing eviction cases, not one
14 federal removal attempt by any tenant has succeeded. In every instance, the federal court has
15 remanded to the Justice Court to proceed, always on a finding that the federal court lacks
16 jurisdiction. Jurisdiction is expressly created in the state courts by NRS 40.215-40.420.

17 The court will further respond to one of Tenant's complaints which is that this court did
18 not immediately vacate his first hearing which was set for September 7, 2021. This is because
19 various federal judges have, sua sponte or on their own authority, simply and expeditiously
20 remanded the removal case back to the Justice Court without motion by any party or without
21 hearing, which is within the federal court's authority. When no such order came, the hearing date
22 was vacated. Other judges have, as in the second removal which looked much like a simple
23 complaint rather than a removal, waited for parties to file motions or ordered tenants to show
24 cause why the action or removal should not be disposed of for lack of jurisdiction.

25 Finally, while the court has no idea whether Tenant actually holds a sincere belief that his
26 removal action is legally well-founded, it is clear that the result of Tenants ten bankruptcy filings
27 (none of which were pursued to discharge) and his three removal notices during the course of this
28 action have resulted in a denial of Landlord's right to summary adjudication of this matter.

1 Tenant's actions otherwise have all appearance of abuse of civil processes to delay this action. By
2 stating this, this hearing officer is not stating that it has any notion of whether it may grant or deny
3 an eviction. That is reserved for the time of hearing after all evidence is received by the court.
4 However, NRS 40.215-40.290 are meant to provide a simple and expeditious means of bringing
5 eviction matters before this court, where this court may consider defenses such as discrimination
6 or other "federally" based claims. These summary eviction matters typically are heard within one
7 to two months. Based upon Tenant's bankruptcies and removal attempts, this matter has been
8 pending without ANY hearing for almost 17 months.

9 According to the above, the court vacates the hearing set for 10:00 a.m., November 17,
10 2022 until the federal court may take action which would permit the justice court to move
11 forward. If such occurs, Landlord may refile its motion to place on calendar.

12
13 DATED this 16th day of November, 2022.

14
15 
16 **HEARING MASTER DAVID BROWN**
17 **LAS VEGAS JUSTICE COURT**
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